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ular library admirably—it hardly touches the needs of research libraries. Efforts to mix the functions have resulted in small gain and much irritation. The need

is to distinguish and fill the research want as the popular need is now filled—and the only method in sight seems a return to Poole coöperation.

LIBRARY LEGISLATION

BY EDMUND L. CRAIG, *Trustee, Evansville (Ind.) Public Library*

The events of the immediate past have thrust upon the attention of all mankind the world-wide question of the education and enlightenment of the masses. When the czar of all the Russias is hurled from his throne in a night; when Spain's soldiery attempt to take upon themselves the adjustment of national affairs; when we see in action the great fighting machine which we are told the kaiser has taken years to build; when we are startled by the quick-moving events of a Sinn Fein rebellion; when, in fact, we hear of any of the events of world-wide importance, the news of which we have grown accustomed lately to expect with each issue of our daily paper, we unconsciously think of the masses back of these great movements, and the effect which the enlightenment or unenlightenment of these masses has and will have upon each particular movement, and upon the world at large.

We who believe "that all power is inherent in the people; and that all free governments are, and of right ought to be, founded on their authority, and instituted for their peace, safety and well-being," are of course elated at the democratic tendency of the times, but on the other hand for some of the nations we can only hope that the enlightened leaders may succeed in steering the ship of state through these turbulent times without disaster.

As trustees we are entrusted with this enlightenment of the people through the agency of the public library, and we are certainly blind to the world of affairs if the crises through which the nations are

passing have not brought us to a full realization of the supreme importance of our work and the necessity for its early extension to every unit of society.

If knowledge is essential to the preservation of a free government, any means by which learning can be generally diffused should have the unqualified support of every believer in true democracy. That public libraries furnish one of the potent means of enlightening the people has been recognized by the law making body of every state in the union.

We were told last year by Mr. Brett, that the several states in forming a federal Union retained the right and duty of educating the people. In fulfilling this duty the state necessarily passes laws. The question of what is the most efficient library legislation, and the more practical question of how to obtain such legislation, has engaged the thought of the best minds in the library field. Every side and phase of the question has been studied and discussed and I cannot hope to add anything new, other than some personal observations based upon the working of our Indiana law, in the hope that they may be of assistance to some while we are waiting for the model law to crystallize.

In the excellent address by Mr. Hicks before the Asbury Park Conference last year, he stated that in only one state, Michigan, do we find a definite constitutional provision concerning public libraries. While the word "library" is not found in our Indiana constitution we have a provision therein, which our supreme

court says is a sufficient provision for a public library system.

The Indiana general library law provides that three members of the library board shall be appointed by the judge of the circuit court, two by the common council, and two by the school board, and to the board thus appointed is delegated the power of levying a tax for library purposes.

In 1903 our legislature passed a law which in its legal aspects coincides with our present general library law. A case testing the constitutionality of this law reached the Supreme Court in 1906. The principal contention was that the law is unconstitutional for the reason that it involves an unlawful delegation of the power of taxation, in that it authorizes the appointees of the common council to exercise such authority. The opinion upholding the law, based the court's decision on a previous decision upholding the school law.

If our law-making bodies are not expressly denied the right in their respective constitutions, it seems the power to levy the library tax may be delegated to the library board. I feel that this is highly to be desired and I am quite sure that no one who has ever been connected with a library where the library board levied the tax, is anxious to try any other plan. The library board is better informed in regard to library matters than any other tax levying unit; they serve without pay and are, therefore, not financially interested; if the board is appointed as in our state they are as nearly out of politics as can well be, and the political fortunes of the local unit does not affect their action.

Our local school boards levy the school tax and our school system is an acknowledged success. If the library tax is levied by the library board I feel that a number of the librarian's troubles will be minimized, if not ended. The terror will be removed from budget making, we will no longer fear that the minimums of our state law will also be made maximums, and a reasonable amount will always be

available for library purposes. In this connection, however, I feel that we trustees who have the tax levying power should study carefully local and general conditions as they affect our trust and not allow our enthusiasm for library affairs to warp our judgment. In my opinion no library tax should be levied which does not meet the approval of the thinking people of the community. Their approval is necessary to the success of our work.

Of the making of laws there is no end. By a careful examination of our Indiana Statutes in 1914 I found in the books twenty-eight distinct acts relating to public libraries. Seven of these were special—applying only to some particular city or town. If we are to have more legislation, and I feel that such is necessary, let one law be passed providing for a public library system and leaving to the local units the working out of the minor details as applied to their particular situation. It would be at least impracticable for the legislatures to do more than provide by law for a general and uniform system of public libraries.

Inasmuch as the public library is a part of our educational system I feel that any general library law should provide for the coöperation of our libraries with our schools. Our Indiana law provides that two members of the library board shall be appointed by the school board and we find that this provision of the law works out very satisfactorily. The closer the relation between the schools and the library, the management of each remaining separate and distinct, the easier it will be to secure the confidence and support of the people.

Another thing much to be desired in library administration is the removal of the library board as far as possible from political control. If this can be accomplished in the general library law of the state the success of that state's library system is assured. Just in proportion as the library is affected by politics is its efficiency destroyed.

While in my opinion women are a neces-

sary part of every library board, I do not believe it necessary or desirable that the library law should indicate the sex of those who are to compose the local boards. A few years ago it was thought necessary to write into the laws that a certain number of the members of the board must be women. I know of several communities where this law is being violated. A few years hence some of us men may think it necessary to provide by law that a part of the board must be of the male persuasion. It seems to me that this is one of the questions which can best be handled by each particular unit as its problems arise, and that mentioning the question in a general law is unduly emphasizing a matter that is rapidly adjusting itself.

We of the library world are striving to have the public library given equal recognition with the public school as an educational factor. If our hope is to be realized the public librarian must take her place alongside the public school teacher and with her enjoy the confidence of her patrons. Until the librarian is licensed by the state I do not believe this possible, and for this reason a board of examiners should be provided by law, and all librarians, in libraries receiving over a certain fixed income, should be required to hold a certificate of qualifications. By beginning with the larger libraries we can gradually reach the desired ideal.

One of these days the resources of our Carnegies may become exhausted, or be withdrawn, or, for other reasons, it may be desired to build library buildings where the maximum tax will not allow. If a provision is contained in the library law allowing the levying board, with the consent of the city council, town board or board of county commissioners, as the case may be, to issue bonds for building purposes, it

may furnish a way out of this difficulty. Finally, it is very desirable, inasmuch as library support is mainly derived from taxation, that the treasurer of the city, town, county or other tax receiving unit shall be ex officio treasurer of the library board. He can be made liable under his official bond for the library funds, and required to keep such funds separate from other funds. This relieves the library board of the handling of funds and is otherwise desirable. Inasmuch as such treasurer is an official of the political unit which he serves, the general library law should make provision for his being a member of the local library board.

In conclusion, let me say that in my opinion the work of obtaining proper library legislation is resting primarily upon the shoulders of the library trustee. He is a citizen of the state and resident of the community which he serves. He is in touch with his neighbors who are sent to the state capital to make the laws. In most instances he is identified with the political and governmental affairs of his state. The librarian, to be sure, can assist in building up sentiment and obtaining the good will of his patrons for his library, but he is not in the law making business. When the library trustees of the country become thoroughly aroused to the importance and necessity of their work, when they, through interchange of ideas at meetings of their state associations, become acquainted with the problems and needs of every part of their commonwealth, then, and not until then, will proper library legislation be put upon our statute books; then, and not until then will the public library be recognized, along with the public school, as one of the two great coördinate systems working for the enlightenment of mankind.